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Intellectual Property Law

JAN 23 2008

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TO: Examiner, Te Y. Chen
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FACSIMILE NO.: (571) 273-8300
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FROM: Art S. Rose
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No. OF PAGES: 3 (incl. cover sheet)
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JAN 23 2008

PTOL-413A (10-07)
Approved for use through 10/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/007,003 First Named Applicant: Patel, et al.
 Examiner: Te Y. Chen Art Unit: 2161 Status of Application: Pending

Tentative Participants:

(1) Te Y. Chen (2) SPE - Mofit Apu
 (3) Group Director (4) Art Rose, Amy Chun & Michael Erickson

As soon as convenient
 Proposed Date of Interview: for examiner

Proposed Time: _____ (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Please See Attached

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Art S. Rose

Typed/Printed Name of Applicant or Representative

28,038

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Application No. 10/007,003 (Patel, et al.)**Filed November 9, 2001**

SYSTEMS AND METHODS FOR PROVIDING A DISTRIBUTED FILE
SYSTEM UTILIZING METADATA TO TRACK INFORMATION ABOUT
DATA STORED THROUGHOUT THE SYSTEM

PROPOSED INTERVIEW AGENDA**Teleconference, January 2008**

- A. We request help to understand how the Evans reference anticipates each and every claim element. Evans is the same reference used by the Examiner in the previous Office Action as the basis for an obviousness rejection, in which the Examiner expressly stated that Evans does not disclose "that the allocator module distributes the claimed subject matters across the storage modules."
- B. Furthermore, we would like to discuss the fact that Evans is not even in the same area as the claimed invention because Evans teaches multicast data distribution over a network, and the claimed invention is a distributed, file-based storage system
- C. Finally, we would like to discuss the 136-page declaration that was filed in response to the Examiner's 103 obviousness rejection based on Evans, to which declaration the Examiner provided no response.

INFORMAL PRE-APPEAL CONFERENCE REQUESTED: WE REQUEST THAT THE GROUP DIRECTOR AND SPE EXAMINE THIS ISSUE BEFORE APPLICANT EXPENDS SIGNIFICANT TIME AND RESOURCES TO APPEAL THIS CASE. APPLICANT IS CONCERNED THAT, AFTER THE EXPENSE OF PREPARING AN APPEAL BRIEF, THE REJECTION WILL BE WITHDRAWN AND ANOTHER EQUALLY MERITLESS REJECTION WILL BE ASSERTED.